



PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2145**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Victoria M. BELLOTTI et al.

Group Art Unit: 2145

Application No.: 09/683,532

Examiner: A. CHOUDHURY

Filed: January 16, 2002

Docket No.: 110143

For: SYSTEMS AND METHODS FOR INTEGRATING ELECTRONIC MAIL AND
DISTRIBUTED NETWORKS INTO A WORKFLOW SYSTEM

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Notice of Appeal is filed herewith. Applicants respectfully request review of the Final Rejection mailed August 25, 2005 in the above-identified application.

The Office Action rejects claims 1-24 under 35 U.S.C. §103(a) over U.S. Patent No. 6,594,636 to Sakaguchi et al. ("Sakaguchi") in view of U.S. Patent Application Publication No. US 2002/0169835 A1 ("Paul"). Review of this rejection is requested for the following reasons.

**I. Even If Combined, The References Would Not Have Resulted
In A Method In Which A Link Provides A Recipient, Who
Does Not Have Access To A Work Flow System, With An
Access To The Associated Process Of The Work Flow System**

First, the Office Action fails to address the point, previously raised by Applicants, that Sakaguchi does not disclose or contemplate a situation in which a recipient does not have

access to the workflow system. The Office Action does not refer to any evidence proving that Sakaguchi discloses such a concept. Paul, relied on only for a general teaching of embedding a hyperlink, certainly does not overcome this deficiency.

Second, neither reference discloses embedding a link that provides the recipient (who does not have access to the workflow system) with an access to the associated process of the workflow system. The Office Action relies on Paul for a teaching of embedding a hyperlink in general, but fails to address (1) the point that Paul does not contemplate creating a hyperlink in a workflow system and (2) the point that the hyperlink of Paul does not provide access to an associated process of a workflow system.

For either of these reasons, the rejection is in error. It is clear that the references, even if combined, would not have resulted in the claimed combinations of features.

II. The Office Action Fails To Establish Proper Motivation To Combine The References

The Office Action asserts that it would have been obvious to combine the references "to provide an e-mail communications system, method and computer program." This alleged motivation is clearly inadequate.

First, Sakaguchi already appears to disclose an "e-mail communication system, method and computer program." Thus, if that were the goal, then Sakaguchi would need no modification to achieve that goal.

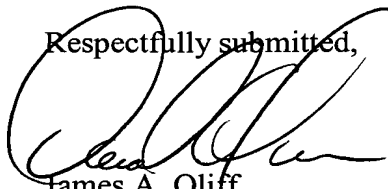
Second, there simply is no evidence that one of ordinary skill in the art would have recognized a general teaching of embedding a hyperlink, as taught by Paul, to be applicable or useful in the context of Sakaguchi. The absence of any teaching of an advantage of the Paul hyperlink in a context such as is disclosed by Sakaguchi is evidence that the Examiner has impermissibly relied on hindsight knowledge, gained from Applicants' disclosure, in formulating the rejection.

III. Conclusion

For any or all of the foregoing reasons, the rejection is in error. The September 29 Request for Reconsideration pointed out these errors, but the subsequent Advisory Action did not address them. Rather, it simply repeated what had been said in the Office Action (including the "Response to Arguments" section). The statement that "links provide an access to data to the recipient whereas without the link the recipient would not have had access to that data" misses the mark, because it fails to address (1) the point that neither reference discloses using a link in a context such as the Sakaguchi system, (2) the point that, even if the Paul link were used, it is not the same as what is claimed because it is not a link that provides access to an associated process of a workflow system, or (3) the point that no evidence has been provided showing that one of ordinary skill in the art would have recognized an advantage to be gained by incorporating a link in a context such as the Sakaguchi system.

Accordingly, Applicants maintain that all of the pending claims are patentable over the applied art, and request withdrawal of the rejection, and allowance of the application.

Should the review panel believe that anything further is desirable to place the application in even better condition for allowance, it is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Daniel A. Tanner, III
Registration No. 54,734

JAO:DAT/scg

Date: November 25, 2005

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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